

**COMBINED DECLARATION AND POWER OF ATTORNEY**  
**FOR PLANT PATENT APPLICATION (Sole Inventor)**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of a new and distinct variety of a shrub rose plant named 'AUSbite' which is claimed and for which a plant patent is sought, the specification of which is attached hereto, and that I have reviewed and understand the contents of the above-identified specification, including the claim.

I hereby state that I did asexually reproduce the new and distinct variety.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, plant breeders rights certificate, or inventor's certificate listed below and have also identified below any foreign application for patent, plant breeders rights certificate, or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>5/1940</u> (Number)	<u>U.K.</u> (Country)	<u>22 January 2003</u> (Day/Month/Year Filed)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application, to file a corresponding international application, and to transact all business in the Patent and Trademark Office connected therewith:

Customer Number:



Name	Reg. No.	Name	Reg. No.
BENDERLY, Kenneth M.	51,453	NOONAN, William D.	30,878
BIBLE, Patrick M.	44,423	PETERSEN, David P.	28,106
BUNKER, Gillian	47,461	POLLEY, Richard J.	28,107
CALDWELL, Lisa M.	41,653	RINEHART, Kyle B.	47,027
CARLSON, Anne	47,472	RUPERT, Wayne W.	34,420
GIRARD, Michael P.	38,467	RYBAK, Sheree L.	47,913
GOFF, Jared S.	44,716	SIEGEL, Susan Alpert	43,121
HAENDLER, Jeffrey B.	43,652	SLATER, Stacey C.	36,011
HARDING, Tanya M.	42,630	STEPHENS Jr., Donald L.	34,022
JAKUBEK, Joseph T.	34,190	STUART, John W.	24,540
JONCUS, Stephen J.	44,809	VANDENBERG, John D.	31,312
JONES, Michael D.	41,879	WHINSTON, Arthur L.	19,155
KLARQUIST, Kenneth S.	16,445	WIGHT, Stephen A.	37,759
KLITZKE II, Ramon A.	30,188	WINN, Garth A.	33,220
LEIGH, James S.	20,434	YOUNG, Travis	53,819
MC LEOD, Richard D.	46,921	ZASTROW, Devon J.	50,206
MAURER, Gregory L.	43,781		

Address all telephone calls to Kenneth S. Klarquist at telephone number (503) 226-7391.

Address all correspondence to:

KLARQUIST SPARKMAN, LLP  
One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole Inventor: David C. H. Austin

Inventor's Signature David C. H. Austin

1 JULY 2003  
Date

Residence: Bowling Green Lane, Albrighton, Wolverhampton, WV7  
3HB, UK

Citizenship: British

Post Office Address: Bowling Green Lane, Albrighton, Wolverhampton, WV7 3HB, UK